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## ATTENTION: OIPE CUSTOMER SERVICE

## Certificate of Transmission under 37 CFR 1.8

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on 07/21/2004

Date

Signature

Sylvan C. McCarthy

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify  
 each submitted paper.

FACSIMILE COVER SHEET (1 PAGE); CERTIFICATE OF TRANSMISSION (1 PAGE);  
 PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181-1.825;  
 USPTO NOTICE OF ABANDONMENT UNDER 37CFR 1.53(f) OR (g) DATED 6/23/2004;  
 RESPONSE TO NOTICE TO FILE MISSING PARTS DATED 5/13/2002 (includes  
 Transmittal Form, Fee Transmittal, Suppl. Appl. Data Sheet, Declaration,  
 Power of Attorney, Return Postcard date-stamped by USPTO on 5/28/02, copy  
 of Eckert Seamans' Check No. 261797 for \$65 which cleared in June 2002);  
 AMENDMENT IN RESPONSE TO NOTICE UNDER 37 CFR SECTIONS 1.821-1.825;  
 SEQUENCE LISTING  
 STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH  
 37 CFR SECTIONS 1.821-1.825



SENT VIA FACSIMILE ON JULY 21, 2004  
TO OIPE CUSTOMER SERVICE  
(703) 308-7751

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	: COMPOSITIONS AND METHODS
	: FOR ELICITING AN IMMUNE
PETER A. CASTRIC	: RESPONSE TO GRAM-NEGATIVE
	: BACTERIAL INFECTIONS
Serial No. 10/085,862	:
	:
Filed February 27, 2002	: Attorney Docket No. 049450-00172A

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 CFR 1.181-825**

July 21, 2004

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) or (g) dated June 23, 2004, a copy of which is attached, applicant's attorney requests the above-identified application be revived on the grounds that the Response to Notice to File Missing Parts was previously filed on May 13, 2002 and was within the time period set forth on the Notice to File Missing Parts of Nonprovisional Application, i.e., April 17, 2002, a copy of which is also enclosed.

A true and correct copy of the documents as filed are enclosed, along with a photocopy of the return postcard (which was date-stamped by the United States Patent and Trademark Office on May 28, 2002). Also enclosed is a photocopy of Check No. 261797 in the amount of \$65.00 which was submitted as payment for the filing fee. According to Eckert Seaman's bank records, the check had cleared in June, 2002.

The Notice of Abandonment states that the applicant's Reply to the Notice of Missing Parts was not received. It has since come to our attention that we are required to provide a Sequence Listing under 37 CFR §§ 1.821-1.825. Accordingly, a Preliminary Amendment to include the Sequence Listing, and a

SENT VIA FACSIMILE ON JULY 21, 2004  
TO OIPE CUSTOMER SERVICE  
(703) 308-7751

Statement to Support the Filing and Submission of the Sequence Listing are also included.

It is respectfully submitted that the application be revived and the Missing Parts be entered at an early date.

Respectfully submitted,



Debra Z. Anderson  
Registration No. 44,506  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44th Floor  
Pittsburgh, PA 15219  
Attorney for Applicant

(412) 566-1910



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/085,862		Peter A. Castric	049450-00172

003705  
ECKERT SEAMANS CHERIN & MELLOTT  
600 GRANT STREET  
44TH FLOOR  
PITTSBURGH, PA 15219

CONFIRMATION NO. 1673

## WITHDRAWAL NOTICE



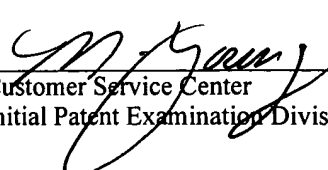
\*OC000000013656882\*

Date Mailed: 08/30/2004

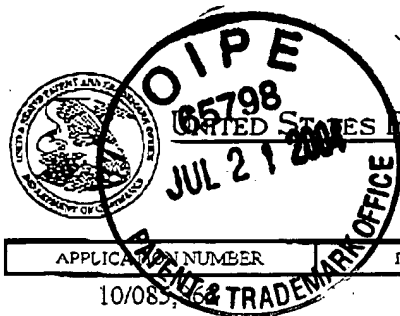
## WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice of Abandonment mailed on 06/23/2004 was sent in error and is hereby withdrawn. A Filing Receipt is enclosed. The Office regrets any inconvenience the error may have caused.

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/085,662	02/27/2002	Peter A. Castric	049450-00172

CONFIRMATION NO. 1673

ABANDONMENT/TERMINATION  
 LETTER



\*OC000000013039978\*

003705  
 ECKERT SEAMANS CHERIN & MELLOTT  
 600 GRANT STREET  
 44TH FLOOR  
 PITTSBURGH, PA 15219

Date Mailed: 06/23/2004

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/17/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

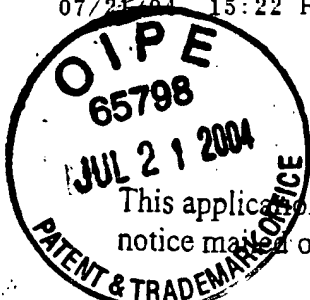
Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



### Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 6-23-04.

#### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

#### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

Please type a plus sign (+) inside this box → ☐

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 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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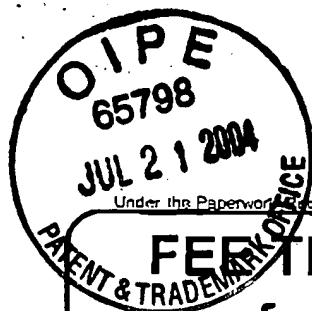
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/085,862
	Filing Date	February 27, 2002
	First Named Inventor	Peter A. Castric
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	049450-00172A

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Copy Missing Parts Notice Application Data Sheet Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eckert Seamans Cherin & Mellott Debra Z. Anderson
Signature	
Date	5/8/2002

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>5-13-2002</u>		
Typed or printed name	Jean Laible	
Signature		Date <u>May 13, 2002</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 65.00

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Complete if Known

Application Number	10/085,862
Filing Date	February 27, 2002
First Named Inventor	Peter A. Castric
Examiner Name	
Group Art Unit	
Attorney Docket No.	049450-00172A

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-2556  
Deposit Account Name: Eckert Seamans Cherin & Mellott

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	0		0.00
Independent Claims	3**	0	0.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue Independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
135 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 185	Extension for reply within second month	
117 830	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,690	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 130	123 130	Petitions related to provisional applications	
126 180	126 160	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00

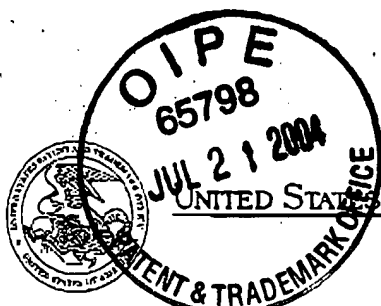
## SUBMITTED BY

Name (Print/Type)	Debra Z. Anderson	Registration No. / Informal Agent	44,506	Complete (if applicable)	Telephone	412.566.1910
Signature	<i>Debra Z. Anderson</i>	Date	5/8/2002			

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,862	02/27/2002	Peter A. Castrie	049450-00172

CONFIRMATION NO. 1673

003705

ECKERT SEAMANS CHERIN & MELLOTT  
600 GRANT STREET  
44TH FLOOR  
PITTSBURGH, PA 15219

## FORMALITIES LETTER



\*OC000000007888987\*

Date Mailed: 04/17/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patinhelp@uspto.gov](mailto:patinhelp@uspto.gov)
- 

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Application Data SheetApplication Information

Application Type:: Regular  
Subject Matter:: Utility  
Title:: Compositions and Methods for  
Eliciting an Immune Response to  
Gram-Negative Bacterial Infections  
Attorney Docket Number:: 049450-00172A  
Request for Early Publication:: No  
Request for Non-Publication:: No  
Suggested Drawing Figure:: 21  
Total Drawing Sheets:: 20  
Small Entity:: Yes  
Petition Included:: Yes  
Petition Type:: Acceptance of Color Drawings  
under 37 CFR § 1.84

Applicant Information

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full  
Given Name:: Peter  
Middle Name:: A.  
Family Name:: Castric  
City of Residence:: Pittsburgh  
State or Province of Residence: Pennsylvania  
Country of Residence:: US  
Street of Mailing Address:: 620 N. Meadowcroft Avenue  
City of Mailing Address:: Pittsburgh  
State or Province of mailing address:: Pennsylvania  
Postal or Zip Code of mailing address:: 15210

Supplemental 10085862 02/27/02 04/23/02

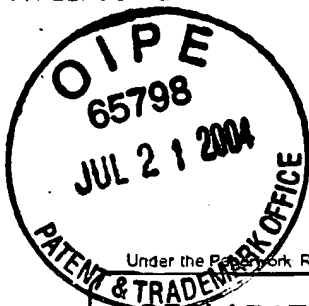
Correspondence Information 003705

Representative Information 003705

Domestic Priority Information

<u>Application::</u>	<u>Continuity Type::</u>	<u>Parent</u>	<u>Parent Filing Date::</u>
		<u>Application::</u>	
<u>This application is a</u>	<u>Continuation of</u>	<u>10/047,159</u>	<u>01/14/02</u>

Supplemental 10085862 02/27/02 04/23/02



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PTO/SB/01A (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

Atty Docket No. 049450-00172A

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/081,862 filed on 02/27/2002
- ☒ as amended on 04/18/2002 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: Peter A. Castrie

Signature: *Peter A. Castrie*

Citizen of: United States of America

Inventor two: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

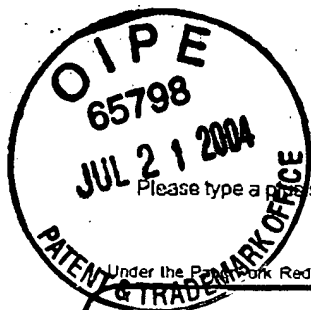
Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box → ☐ +

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

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PTO/SB/51 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

and to a collection of information unless it displays a valid OMB control number.

Application Number	10/085,862
Filing Date	February 27, 2002
First Named Inventor	Peter A. Castric
Title	COMPOSITIONS AND METHODS FOR ELICITING AN IMMUNE RESPONSE TO GRAM-NEGATIVE BACTERIAL INFECTIONS
Group Art Unit	
Examiner Name	
Attorney Docket Number	049450-00172A

I hereby appoint:

☒ Practitioners at Customer Number

003705

Place Customer  
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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name

Linda S. Drago, General Counsel

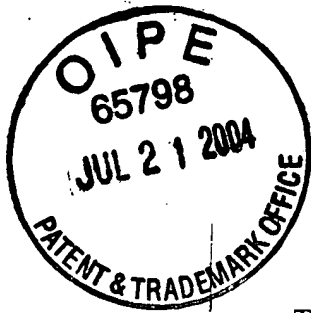
Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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APPLICANT: P.A. Castrie

SERIAL NO: 10/085,862

PAPER DATED: May 13, 2002

ATTY FILE NO: 049456-00172A

DZA/jml

ECKERT SEAMANS  
ATTORNEYS AT LAW

MISSING PARTS.

Transmittal Form

Declaration & POA

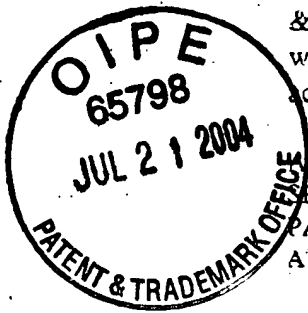
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APPLICANT: P.A. Castic  
 SERIAL NO: 10/085,862  
 PAPER DATED: May 13 2003  
 ATTY FILE NO: 049450-00172A

## MISSING PART.

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 Declaration & POA  
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VOUCHER #	DATE	INVOICE #	DESCRIPTION	AMOUNT
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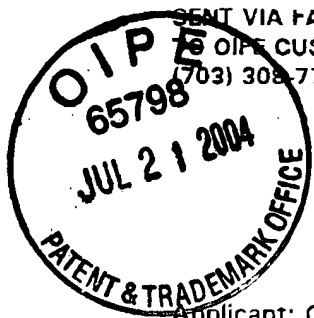
## DETACH AND RETAIN THIS STATEMENT

The attached check is in payment of items described above. If not correct please notify us promptly.

THE REVERSE SIDE OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

<b>ECKERT SEAMANS CHERIN &amp; MELLOTT, LLC</b> FORTY-FOURTH FLOOR 600 GRANT STREET PITTSBURGH, PA 15219		DATE 05/09/02	CHECK NO. 261797	AMOUNT \$65.00
PAY SIXTY-FIVE AND 00/100		<b>ECKERT SEAMANS CHERIN &amp; MELLOTT, LLC</b>		
TO THE ORDER OF COMMISSIONER OF PATENTS AND TRADEMARKS		TWO SIGNATURES REQUIRED FOR OVER \$5,000.00  AUTHORIZED SIGNATURE		
<b>PNC BANK</b> PITTSBURGH, PA				





SENT VIA FACSIMILE ON JULY 21, 2004  
TO OIP CUSTOMER SERVICE  
(703) 305-7751

Atty. Dkt. No. 019450-00172A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CASTRIC, PETER A.

Title: COMPOSITIONS AND METHODS FOR ELICITING AN IMMUNE  
RESPONSE TO GRAM-NEGATIVE BACTERIAL INFECTIONS

Appl. No. 10/085,862

Filing Date: February 27, 2002

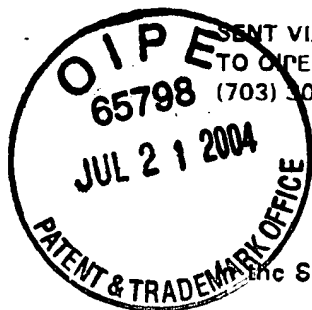
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**AMENDMENT IN RESPONSE TO NOTICE UNDER 37 CFR §§1.821-825**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply With Requirements for Patent Applications  
Containing Nucleotide And/Or Amino Acid Sequence Disclosures/Notice to File Missing  
Parts mailed May 13, 2002, please amend the application as follows:



SENT VIA FACSIMILE ON JULY 21, 2004  
TO OIP CUSTOMER SERVICE  
(703) 308-7751

Atty. Dkt. No. 049450-00172A

the Specification:

Please amend the specification as shown:

Please delete Table III and replace it with the following Table:

**Table III: Primer Sequences Developed for this Work (SEQ ID NOS 1-8)**

Primer	Sequence (5' → 3')	Description
NILIP25	GCC CTC GTG AAT TCG GTA CCA GCG AAT AAG GTA CTA AGC C	<i>RpoN</i> forward
NILIP26	GCT ACG CCT TCG AAC TTG CTG CCG TTC GAG ATA CTT CTC	<i>RpoN</i> reverse
NILIP29	GTT CGT GCC GCA CTT CAA GCC GGG C	<i>HimD</i> forward
NILIP30	TCA GGG TTC TCG CCG CCT CTG GCG A	<i>WlpM</i> reverse
NILIP31	GCT GCC TTC GAC CAA GAA GCG GTT G	<i>Gm</i> reverse
NILIP32	GGA GTA GGT GGC TAC GTC TCC GAA C	<i>Gm</i> forward
NILIP33	GCC GAA GAT AAC GTA GCT GTT CGA AGG GCG GTC GAA CGA AGG GCT G	<i>RpoN</i> reverse
NILIP34	GTC AGC GGA GGC TAC GCC TTC GAA CTT GCT GCC GTT CGA GAT ACT TCT C	<i>RpoN</i> reverse

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Atty. Dkt. No. 049450-00172A

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## REMARKS

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

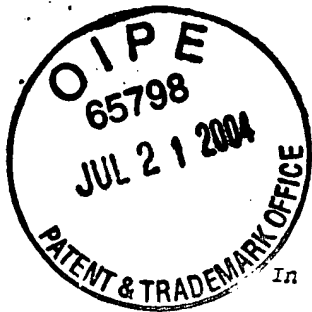
7/21/2004

By

Eckert Seamans Cherin & Mellott  
600 Grant Street, 44th Floor  
Pittsburgh PA US 15219  
Telephone: 412-566-1910  
Facsimile: 412-566-6099

Debra Z. Anderson  
Attorney for Applicant  
Registration No. 44,506

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No 02-2556 for any such fees; and applicant hereby petitions for any needed extension of time.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 049450-00172A

In re patent application of

PETER A. CASTRIC

Serial No. 10/085,862

Filed: February 27, 2002

For: COMPOSITIONS AND METHODS FOR ELICITING AN IMMUNE  
RESPONSE TO GRAM-NEGATIVE BACTERIAL INFECTIONSSTATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.021-1.025Commissioner for Patents  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450  
Mail Stop SEQUENCK**BEST AVAILABLE COPY**

Sir:

In connection with a Sequence Listing submitted concurrently  
herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37  
C.F.R. § 1.021(g), does not include new matter;
2. the content of the attached paper copy and the  
attached computer readable copy of the Sequence Listing, submitted in  
accordance with 37 C.F.R. § 1.021(c) and (e), respectively, are the same.

Respectfully submitted,

David M. Narkunas  
Reg. No. 53,370July 20, 2004

Date

HARBOR CONSULTING IP SERVICES, INC.  
1500A Lafayette Road, #262  
Portsmouth, N.H.  
800-310-3031



1

## SEQUENCE LISTING

&lt;10&gt; PETER A. CASTRIC

<120> COMPOSITIONS AND METHODS FOR ELICITTING AN IMMUNE  
RESPONSE TO GRAM-NEGATIVE BACTERIAL INFECTIONS

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&lt;141&gt; 2002-02-27

&lt;150&gt; 10/047,159

&lt;151&gt; 2003-01-14

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&lt;170&gt; PatentIn Ver. 3.2

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&lt;223&gt; Description of Artificial Sequence: Primer

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